

Claims 44, 46-49, 62, 63, 68 and 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,823,367 (*Wakasugi*) in view of “An Extensible Message Format for Message Disposition Notifications” (*RFC 2298*). Claims 44, 49, 62, 63, 68, and 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,687,742 (*Iwazaki*) in view of *Wakasugi*; and Claims 45-48, as being unpatentable over *Iwazaki*, in view of *Wakasugi*, and further in view of U.S. Patent No. 6,327,046 (*Miyamoto*).

Applicants respectfully traverse the rejections and submit that independent Claims 44, 49, 62, 63, 68, and 69, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons as well as those previously set forth in the Preliminary Amendment of July 31, 2007 .

The aspect of the present invention set forth in Claim 44 is directed to an image communicating apparatus which is connected to a network capable of performing E-mail communication. The apparatus includes a transmitting unit, a receiving unit, a requesting unit, a communication managing unit, an analyzing unit, a judgment unit, and a notifying unit. The transmitting unit is adapted to send E-mail data accompanied by an image file, and the receiving unit is adapted to receive E-mail data. The requesting unit is adapted to add, selectively, information for requesting a message disposition notification to the E-mail data to be sent to a receiver by the transmitting unit. The communication managing unit is adapted to manage transmission management information of the sent E-mail data. The analyzing unit is adapted to analyze how the sent E-mail data to which information for requesting the message disposition notification was added is processed by

the receiver, by analyzing the message disposition notification included in the E-mail data received by the receiving unit and capable of representing plural kinds of processed results as processed results for the sent E-mail by the receiver. The judgment unit is adapted to judge whether or not a result of the transmission of the sent E-mail data to which the information for requesting the message disposition notification was added succeeded, based on an analysis result by the analyzing unit. The notifying unit is adapted to notify a user of the image communicating apparatus based on the transmission management information managed by the communication managing unit. The communication managing unit updates the transmission management information by information showing whether or not the transmission of the sent E-mail data succeeded, on the basis of a judged result provided by the judgment unit. Furthermore, the notifying unit notifies the user of the image communicating apparatus whether or not the transmission of the sent E-mail data succeeded, on the basis of the updated transmission management information, so that the user of the image communicating apparatus can confirm whether or not the transmission of the sent E-mail data succeeded, without reading the message disposition information.

Among other features of Claim 44 are that the analyzing unit is adapted to analyze how the sent E-mail data to which information for requesting the message disposition notification was added is processed by the receiver, by analyzing the message disposition notification included in the E-mail data received by the receiving unit and capable of representing plural kinds of processed results as processed results for the sent E-mail by the receiver. By virtue of this feature, the receiver can process the E-mail data and generate more than one kind of processed results. Moreover, the MDN can represent these

plural kinds of processed results and those results are analyzed by the analyzing unit to produce an analysis result that depends on the MDN content.

However, in *Wakasugi* (col. 7, lines 11-20; S104 in Fig. 3), a network facsimile apparatus apparently only determines whether a received E-mail is or is not a transmission confirmation mail (i.e., MDN) as shown in Fig. 5, and if the received E-mail is an MDN, the network facsimile updates a communication management information table to “OK” irrespective of the content of the MDN (see, e.g., S401 in Fig. 10). Therefore, instead of plural kinds of processed results of Claim 44, the network facsimile of *Wakasugi* only can produce a single kind (i.e., “OK”). Therefore, even if the content of the delivery confirmation mail (i.e., MDN) did represent plural kinds of processed results, as argued at page 5 of the Office Action with respect to *RFC 2298*, the network facsimile of *Wakasugi* could still only update the communication management information table one way (i.e., update table with “OK”).

Nothing has been found in *Wakasugi* or *RFC 2298*, whether considered either separately or in any permissible combination (if any), that would teach or suggest an analyzing unit, adapted to analyze how the sent E-mail data to which information for requesting the message disposition notification was added is processed by the receiver, by analyzing the message disposition notification included in the E-mail data received by the receiving unit and capable of representing plural kinds of processed results as processed results for the sent E-mail by the receiver.

Accordingly, Applicants submit that Claim 44 is patentable over *Wakasugi* and *RFC 2298*, whether considered either separately or in any permissible combination (if

any), and respectfully request withdrawal of the rejection under 35 U.S.C. §103(a).

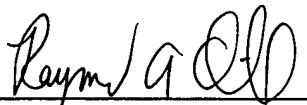
Independent Claims 49, 62, 63, 68, and 69 each recite features which are similar to those discussed above with respect to Claim 44. Therefore, those claims also are believed to be patentable for at least the reasons discussed above.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

In view of the foregoing remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

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